

16/06/2026
D/L – 36
Court No.28
S. Kundu

C.R.M.(A) 1434 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023.

In the matter of: XXX

...Petitioner.

Mr. Tanmay Basu
Mr. Sayan Banerjee

...for the petitioner.

Mr. Goutam Dey
Ms. Anushka Ghosh

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Despite service, no one appears on behalf of the de-facto complainant.
3. Learned counsel appearing on behalf of the petitioner submits that this is a second application for anticipatory bail on the change in circumstance that two other co-accused have been granted bail.
4. Learned counsel appearing on behalf of the State relies on the case diary and strongly opposes the prayer for anticipatory bail. He submits that there is no material change in circumstance to warrant entertaining of a second application for anticipator bail. At some point, some accused would be getting bail. This is not a change in circumstance, vis-à-vis grant of anticipatory bail to another.

5. Considering the above and the fact that there is no substantial change in circumstance for entertaining a second application for anticipatory bail and the fact that the petitioner's prayer for anticipatory bail was earlier rejected on merits by this Court on 11/02/2026 (wrongly recorded as 11/02/2022) in CRM (A) 342 of 2026, the application for anticipatory bail is dismissed as not maintainable.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)